

**Proposed Permit Terms
California WaterFix
CSPA *et al.*
July 9, 2018
(Not an exhaustive list)**

No.	Title or Subject	Requirement	Compliance Point	Season or Frequency	Rationale with Exhibit(s) if Available
1	Fish screen approach velocity and sweeping velocity	.2 ft/sec max approach velocity .4 ft/sec or greater sweeping velocity	North Delta Diversions (NDD)	Velocities should apply always, on an instantaneous basis	Reduce mortality (DWR-1012)
2	Bypass criteria past NDD	Minimum NDD diversions (900 cfs) whenever bypass flows are less than 35,000 cfs	Immediately downstream of NDD	October–June Bypass requirements should apply on an instantaneous basis.	Avoid reverse flows at NDD; protect all species from entrainment, impingement, predation; 35,000 cfs identified as threshold in NMFS. BO for WaterFix, p. 772, Miller testimony (DWR-1011), Rosenfield (NRDC-58), CSPA-204, CSPA-500, CSPA-504
3	Bypass criteria past NDD	Minimum NDD diversions (900 cfs) whenever bypass flows are less than 7000 cfs	Immediately downstream of NDD	July-September	CSPA-500, NRDC-58
4	Salinity	Restrict NDD and South Delta Diversions (SDD) to minimum diversions (900 cfs NDD / 1500	Both Emmaton and Jersey Point	Extend to year round	Maintain LSZ in Suisun Bay to provide habitat for smelt; avoid entrainment at SDD.

		cfs SDD) when EC > .50 (average daily) Include salinity requirement as a measure to protect fish and wildlife in addition to agriculture.			Should explicitly be a fish and wildlife standard, not only an ag standard as in D-1641. From CSPA-204
5	Combined SDD export limitations	6000 cfs 9000 cfs		June July	Reinstate D-1485 requirements whose elimination devastated Delta smelt and striped bass Based on CSPA-500
6	Coordinated Operating Agreement (COA)	Under balanced conditions, BOR supplies 75% of water to meet in-basin uses, DWR supplies 25%.	As stated under current COA	Under balanced conditions	Avoid impacts to upstream river reaches from changes in reservoir operations. DWR and BOR should not be allowed to renegotiate COA outside of evidentiary process.
7	Joint Points Of Diversion (JPOD)	CVP should not be permitted to exercise JPOD at the NDD. As an alternative, SWRCB must set JPOD rules for CVP at NDD based on level of Bureau participation in WaterFix.	NDD	Always	CVP does not appear to be a full partner in the NDD facilities. JPOD should not become a permanent transfer workaround past water rights. Maintain integrity of water rights that are used as the basis for NDD

					diversions. D-1641 authorized JPOD without considering NDD, and some sources of JPOD water are Old River. CSPA-2 PCFFA-161
8	Carryover storage	1.6 MAF storage; operate to meet at least 1.6 MAF at end of December Both figures at 90% exceedance, with following year delivery penalty sufficient to deter failure.	Oroville Reservoir	End of September	CSPA analysis CSPA-202-errata
9	Carryover storage	<ul style="list-style-type: none"> • Wet: 3.2 MAF • Above Normal: 3.2 MAF • Below Normal: 2.8 MAF • Dry: 2.2 MAF • Critically dry: 1.9 MAF 	Shasta Reservoir	End of September	Consistent with proposed revision to Shasta RPA, NRDC-29, pdf. p. 214
10	Carryover storage	As proposed by American River Group in Part 2 case-in-chief.	Folsom Reservoir		ARWA-502
11	Carryover storage and export to Sacramento River	Interim Default carryover: <ul style="list-style-type: none"> • Ex Wet: 1.8 MAF • Wet: 1.8 MAF • Normal: 1.8 MAF • Dry: 1.4 MAF • Critically dry: 	Trinity Reservoir	End of September	The goal of Trinity carryover storage levels is to meet NMFS 2000 Trinity River water temperature objectives. Interim numbers

		<p>1.2 MAF</p> <ul style="list-style-type: none"> • Except for Ex Wet, reduce requirement by .3 MAF per year for up to 2 preceding Dry or CD years <p>No more than 50% of total release from Trinity Reservoir exported to Sacramento River in any water year.</p> <p>Flow volumes for Trinity River in Trinity River ROD must be met.</p>			<p>based on review of PCFFA-126, esp. Table 1, p. 9:7.</p> <p>SWRCB should re-evaluate Trinity carryover storage as part of a hearing on Order WR 90-05 (see #12 below).</p> <p>SWRCB should re-evaluate Trinity exports to Sacramento River as part of a hearing on Order WR 90-05 (see #12 below)</p> <p>Issues with Sacramento River impacts of Trinity River diversions raised in CSPA-220</p>
12	<p>SWRCB evidentiary hearing to improve and make more consistent the fisheries benefits of upper Sacramento River operations within 5 years from decision on WaterFix petitions.</p> <p>In part, this hearing will re-evaluate Order WR 90-05. It should also re-evaluate Trinity carryover storage</p>				<p>Operation of Sacramento River that is more consistently appropriate for fish is gravely needed.</p> <p>NDD should partly mitigate for re-operation of Shasta, Trinity and Sac River diversions once NDD is on line.</p> <p>Issues identified in CSPA-204 and CSPA-500</p>

		<p>subject to review by SWRCB in public evidentiary hearing.</p> <p>Affected stakeholders need to be engaged in technical and policy decisions at public meetings.</p>			<p>CSPA-200, CSPA-202-errata, CSPA-204</p>
16	Real-time decision making	<p>Affected stakeholders need to be engaged in regular technical and policy decisions at public meetings.</p>			<p>Operators and fish agencies need technically competent, funded chaperones.</p> <p>CSPA -200, CSPA-202-errata, CSPA-204</p>
17	OMR	<p>The Board should develop and include explicit stand-alone OMR requirements in the update of the Bay-Delta Plan, to be incorporated into the permits for the SWP and CVP.</p>			<p>To be addressed in Bay-Delta Plan</p>
18	Lower Feather River flows	<p>65° mouth of Yuba River; 68° mouth of Feather River</p>		<p>May-June</p>	<p>Spring-run migration flows of adequate temperature for upstream migration</p>
19	Sacramento River at Wilkins Slough	<p>7000 cfs bypass</p>	<p>Immediately downstream of Wilkins Slough</p>	<p>Always</p>	<p>Maintain adequate flow and water temperature in critical migration corridor.</p>

					CSPA-500, CSPA-504
20	Clifton Court ops	Constant rate of diversion into Clifton Court Forebay instead of “big gulp” on high tides	Entrance to Clifton Court Forebay	Always	Reduce entrainment and intra-daily effect of reverse flows
21	State of the art fish screens at Clifton Court Forebay and Jones pumping plant			Operating within 7 years from date petitions granted	Existing salvage facilities kill countless fish CSPA-200
22	Gaging and reporting	Hourly and 15 minute reporting of diversions and flow at and past NDD and SDD		NDD and SDD	CSPA-204
23	Biological monitoring and reporting	Fish entrained, impinged or salvaged at NDD and SDD Predatory fish at NDD		Daily At least monthly surveys of predatory fish near intakes	The public should have the ability to evaluate in real-time the efficacy of real-time operations in preventing entrainment of salvageable fish at SWP and CVP facilities CSPA-204
24	Preference for south Delta diversions	First 3000 cfs combined SWP and SVP export preferentially diverted at south Delta facilities		June-October	Maintain Delta water quality and Delta inflow in summer and early fall. Memorializes DWR representation made in Part 1.
25	Transfers through NDD and SDD facilities	Defined limitations, specifics to be determined			Limitations must be founded on publicly disclosed scientific evidence and be comprehensive. Any allowed

					<p>transfers must demonstrate no harm to surface water, groundwater users, terrestrial habitat and dependent species</p> <p>AQUA-1-revised AQUA-5 AQUA-202 AQUA-227 CSPA-4-revised CSPA-204 CSPA-431</p>
26	Indian trust assets	Permittees must consult with California Indian Water Commission on permit terms, operations, and any adaptive management changes			<p>Permittees must explicitly recognize and fulfill obligations to protect native people’s legal, biological, cultural, religious, sustenance, medicinal, water and other tribal resources</p> <p>AQUA-272</p>
27	D-1641 Export-Inflow (E/I) ratio	E/I ratio should count inflow directly upstream of NDD as part of inflow for purposes of determining E/I ratio			<p>Preserves protection for fish and water quality.</p> <p>PCFFA-126</p>